

Existing law provides that the Dept. of Social Services is authorized to develop and implement a program of family support in FITAP cases, Title IV-E Foster Care cases, Medicaid only cases, and any other category of cases to which the state is required by federal law or regulation to provide services, designed to: (1) enforce, collect, and distribute the support obligation owed by any person to his child or children and to his spouse or former spouse with whom the child is living if a support obligation has been established with respect to such spouse or former spouse; (2) locate absent parent; (3) establish paternity; (4) obtain and modify family and child support orders; or (5) obtain and modify medical support orders.

Prior law defined "absent parent" as the natural parent, adoptive parent, or any individual, including the putative or alleged father, who does not or did not reside with his or her dependent child, and who is currently, was, or should have been at any time responsible for providing for financial support of his or her dependent child (R.S. 46:236.1(A)(4)(a)).

Existing law also defines "absent parent" as any person who does not reside with his dependent child and who is responsible for providing financial support for that child and against whom the Support Enforcement Services Program is enforcing or seeking to enforce or modify a support obligation pursuant to a plan described in Title IV-D of the Social Security Act and made applicable to the state under this Section. Existing law also states that an "absent parent" may include but is not limited to the natural parent, adoptive parent, and the putative or alleged father (R.S. 46:336.1(A)(4)(b)).

New law repeals the definition of "absent parent" as provided in prior law, R.S. 46:236.1(A)(4)(a), but retains the definition as provided in R.S. 46:236.1(A)(4)(b).

New law provides that the definition of "noncustodial parent" shall be defined the same as "absent parent".

Existing law provides that upon receiving an application from an individual, in addition to any fee which may be assessed, the above services shall be provided to that individual not otherwise eligible for such service.

New law retains existing law and clarifies that the department provide such services to any individual, including absent or noncustodial parent, regardless of whether the individual has received public assistance or whether there is a delinquency.

New law retains existing law and clarifies that an order to pay child or spousal support may be obtained regardless of whether the individual has received any public assistance or whether there is a delinquency.

Effective July 1, 1999.

(Amends R.S. 46:236.1(A)(4)(a) and (B)(2); Adds R.S. 46:236.2(D))